

# HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

111403

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <small>(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))</small>	Attorney Docket No.	2065.2001-006
	First Named Inventor or Application Identifier	Paul C. Harris
	Express Mail Label No.	EV 214947523 US

Title of Invention: **COMPENSATION FOR VARIABILITY IN SPECIFIC BINDING IN QUANTITATIVE ASSAYS**

<p style="text-align: center;"><b>APPLICATION ELEMENTS</b></p> <p>See MPEP chapter 600 concerning utility patent application contents.</p> <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> Fee Transmittal Form <i>(Submit an original, and a duplicate for fee processing)</i></li> <li>2. <input checked="" type="checkbox"/> Specification <span style="float: right;"><b>Total Pages [35]</b></span> <i>(preferred arrangement set forth below)</i> <ul style="list-style-type: none"> <li>- Descriptive title of the invention</li> <li>- Cross References to Related Applications</li> <li>- Statement Regarding Fed sponsored R &amp; D</li> <li>- Reference to sequence listing, a table, or a computer program listing appendix</li> <li>- Background of the Invention</li> <li>- Brief Summary of the Invention</li> <li>- Brief Description of the Drawings <i>(if filed)</i></li> <li>- Detailed Description</li> <li>- Claim(s)</li> <li>- Abstract of the Disclosure</li> </ul> </li> <li>3. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) <span style="float: right;"><b>Total Sheets [3]</b></span>  <input checked="" type="checkbox"/> Fig. of the Drawings for Publication <span style="float: right;">[ 1 ]</span>  <input type="checkbox"/> No Figure to be Published                 </li> <li>4. <input checked="" type="checkbox"/> Oath or Declaration <span style="float: right;"><b>Total Pages [3]</b></span> <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> Newly executed (original or copy)</li> <li>b. <input checked="" type="checkbox"/> Copy from a prior application (37 C.F.R. 1.63(d)) <i>(for continuation/divisional with Box 17 completed)</i> <ol style="list-style-type: none"> <li>i. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b).</li> </ol> </li> </ol> </li> <li>5. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program <i>(Appendix)</i></li> </ol>	<p>ADDRESS TO: <b>Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</b></p> <ol style="list-style-type: none"> <li>6. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i> <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> Computer Readable Form</li> <li>b. <input type="checkbox"/> Paper Copy (identical to computer copy) <span style="float: right;">[   ] Pages</span></li> <li>c. <input type="checkbox"/> Statements verifying identity of above copies</li> </ol> </li> </ol> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <th style="text-align: center;">ACCOMPANYING APPLICATION PARTS</th> </tr> <tr> <td> <ol style="list-style-type: none"> <li>7. <input type="checkbox"/> Assignment Papers (cover sheet &amp; documents)  <input checked="" type="checkbox"/> Assignee - Response Biomedical Corporation</li> <li>8. <input type="checkbox"/> Power of Attorney <span style="float: right;">[   ] 37 C.F.R. 3.73(b) Statement</span></li> <li>9. <input type="checkbox"/> English Translation Document <i>(if applicable)</i></li> <li>10. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <span style="float: right;">[   ] Copies of IDS Citations</span></li> <li>11. <input type="checkbox"/> Preliminary Amendment</li> <li>12. <input checked="" type="checkbox"/> Return Receipt Postcard</li> <li>13. <input type="checkbox"/> Small Entity Statement(s)</li> <li>14a. <input type="checkbox"/> Foreign Priority Claim under 35 U.S.C. §119 or 365</li> <li>14b. <input type="checkbox"/> Certified Copy of Priority Document(s)</li> <li>15. <input type="checkbox"/> Nonpublication Request <i>(check parent application)</i></li> <li>16. <input checked="" type="checkbox"/> Other <u>Remarks/Change of Correspondence Address</u></li> </ol> </td> </tr> </table>	ACCOMPANYING APPLICATION PARTS	<ol style="list-style-type: none"> <li>7. <input type="checkbox"/> Assignment Papers (cover sheet &amp; documents)  <input checked="" type="checkbox"/> Assignee - Response Biomedical Corporation</li> <li>8. <input type="checkbox"/> Power of Attorney <span style="float: right;">[   ] 37 C.F.R. 3.73(b) Statement</span></li> <li>9. <input type="checkbox"/> English Translation Document <i>(if applicable)</i></li> <li>10. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <span style="float: right;">[   ] Copies of IDS Citations</span></li> <li>11. <input type="checkbox"/> Preliminary Amendment</li> <li>12. <input checked="" type="checkbox"/> Return Receipt Postcard</li> <li>13. <input type="checkbox"/> Small Entity Statement(s)</li> <li>14a. <input type="checkbox"/> Foreign Priority Claim under 35 U.S.C. §119 or 365</li> <li>14b. <input type="checkbox"/> Certified Copy of Priority Document(s)</li> <li>15. <input type="checkbox"/> Nonpublication Request <i>(check parent application)</i></li> <li>16. <input checked="" type="checkbox"/> Other <u>Remarks/Change of Correspondence Address</u></li> </ol>
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17. **If a CONTINUING APPLICATION**, check appropriate box; supply the requisite information.

☐ Continuation    ☒ Divisional    ☐ Continuation-in-part (CIP)    of prior application No.: 09/817,781

Prior application information:    Examiner: B. Nguyen    Group Art Unit: 1641

**The entire disclosure of the prior application is considered a part of the disclosure of the accompanying application and is hereby incorporated by reference.**  
*(Add standard Related Applications section with incorporation by reference to specification or update same)*

18. CORRESPONDENCE ADDRESS					
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Signature	<i>David E. Brook, R.N. 22542</i>	Date	11/14/03
Submitted by Typed or Printed Name	<i>bw</i> Elizabeth W. Mata	Reg. Number	38,236

17548 U.S. PTO  
10/7/14318  
111403

# HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

<b>FEE TRANSMITTAL FOR PATENT APPLICATIONS</b>	Attorney Docket Number	2065.2001-006	
	Application Number		
	First Named Inventor	Paul C. Harris	

  

CLAIM CALCULATION (includes any preliminary amendment)

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS <small>(37 CFR 1.16(c) or (j))</small>	25 - 20* =	5	x \$ 18 =	\$ 90
	INDEPENDENT CLAIMS <small>(37 CFR 1.16(b) or (i))</small>	2 - 3** =	0	x \$ 86 =	\$ 0
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 290 =	\$
				BASIC FEE <small>(37 CFR 1.16(a) or (h))</small>	\$ 770
				Total of above Calculations =	\$ 860
				Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =	\$ 430
				TOTAL =	\$ 430
				Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =	\$
				Petition for Extension of Time Fee (37 C.F.R. 1.17) =	\$
				Assignment Recordation Fee = <small>(only when filed with application)</small>	\$
				[Other]	\$
				TOTAL =	\$ 430

\* Reissue claims in excess of 20 and over original patent  
 \*\* Reissue independent claims over original patent

  

1. Small entity status:
  - a. ☐ A small entity statement is enclosed.
  - b. ☒ A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
  - c. ☐ Is no longer claimed.
  
2. ☒ A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.
  
3. ☒ A check is enclosed for \$430. ☐ Please charge \$[ ] to Deposit Account No. 08-0380.
  
4. ☐ Other: \_\_\_\_\_

  

Signature	<i>Elizabeth W. Mata, R.N. 22592</i>	Date	11/14/03
Submitted by Typed or Printed Name	Elizabeth W. Mata	Reg. Number	38,236

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Paul C. Harris and Brian G. Richards

Divisional Application of

Application No.: 09/817,781

Filed: March 26, 2001

For: COMPENSATION FOR VARIABILITY IN SPECIFIC BINDING IN  
QUANTITATIVE ASSAYS

Date: <u>11/14/03</u>
EXPRESS MAIL LABEL NO. <u>EV214947523 US</u>

REMARKS/CHANGE OF CORRESPONDENCE ADDRESS

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The above-captioned application is a divisional of application number 09/817,781 filed on March 26, 2001 to which priority is claimed under 35 U.S.C. §120.

The specification of the present application is substantially the same as that of the parent application. A related applications paragraph has been added as the first paragraph in the specification. No new matter has been added.

The Claims are essentially the same as presented in the parent application. Claims 20-25 have been added and the subsequent claims have renumbered accordingly. The independent Claims have been amended slightly to clarify the claim language in steps (c) and (d). Support for the amendments is found throughout the specification; now new matter has been added. A newly executed declaration under 37 C.F.R. 1.63 is not believed to be necessary under 37 C.F.R. 1.63(d) or 1.67(b).

Please change the correspondence address for the above captioned patent application as follows:

All correspondence should be sent to Customer Number 021005, Hamilton, Brook, Smith & Reynolds, P.C., 530 Virginia Road, P.O. Box 9133, Concord, Massachusetts 01742-9133. Please direct all telephone calls to David E. Brook, Esq. at (978) 341-0036, and all facsimile communications to (978) 341-0136.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

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Dated: 11/14/03